

## **West Virginia Uniformed and Overseas Voter Online Voting Pilot Project**

### Frequently Asked Questions

#### 1. [Why is West Virginia testing an online voting system?](#)

*In 2009, Congress passed the Military and Overseas Voter Empowerment Act (MOVE Act) as part of the National Defense Authorization Act for Fiscal Year 2010. The MOVE Act is designed to ensure that “uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted.” The West Virginia pilot project is designed to meet several of the electronic transmission elements of the federal MOVE Act and to expedite the transmission of military and overseas ballots while maintaining a high degree of ballot security and voter privacy.*

#### 2. [What counties are participating in the pilot project?](#)

*Jackson, Kanawha, Marshall, Monongalia and Wood counties are participating in the pilot project for the May 2010 Federal Primary Elections. The program will be assessed for continuation after the primary.*

#### 3. [Which voters may use the West Virginia online voting system?](#)

*In order to participate in the pilot project, voters must be qualified and registered in one of the participant localities and be covered by the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986 (as amended). 42 U.S.C. §1973, et seq.*

#### 4. [Are UOCAVA voters in the participating counties required to use the online voting system?](#)

*No. Voters may opt to vote using any method previously approved for use in their County of residence.*

#### 5. [What is the definition of “absent uniformed services?”](#)

*"Uniformed services" means the Army, Navy, Air Force, Marine Corps, and Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration. In addition, members of the merchant marine are covered under the definition of “absent uniformed services voters.” “Absent” means the military service member is, due to active service, outside the County where s/he is registered to vote. The pilot also applies to the spouse or dependent of the uniformed service member, if the spouse or dependent is absent due to the service member’s active duty.*

6. [What is the definition of “merchant marine?”](#)

*"Member of the merchant marine" means an individual (other than a member of a uniformed service or an individual employed, enrolled, or maintained on the Great Lakes or the inland waterways) -*

*(A) employed as an officer or crew member of a vessel documented under the laws of the United States, or a vessel owned by the United States, or a vessel of foreign-flag registry under charter to or control of the United States; or*

*(B) enrolled with the United States for employment or training for employment, or maintained by the United States for emergency relief service, as an officer or crew member of any such vessel.*

7. [What is the definition of “overseas voter?”](#)

*“Overseas voter” means -*

*(A) an absent uniformed services voter who, by reason of active duty or service is absent from the United States on the date of the election involved;*

*(B) a person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or*

*(C) a person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.*

*Note: for the purposes of this Act, “United States” is defined as the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.*

8. [Will a vote cast using the online voting system be counted in the same manner as votes cast by mail?](#)

*Yes. Online votes will be treated in the same manner as absentee votes cast using existing voting methods.*

9. [May I use the online system if I am visually impaired?](#)

*Yes. The online voting system has been designed to interact with existing assistive technologies.*

10. [When may I apply for an online absentee ballot?](#)

*Uniformed Services and Overseas Voters may apply for an absentee ballot as early as January 1 of the year in which the election for which they are applying is held. The deadline for receipt of the absentee ballot application is not later than six days before that election.*

11. What form should I use to apply for an online absentee ballot?

Pilot program voters may use the official [State of West Virginia Application for Voting Absent Voter's Ballot by Fax, Email, or On-line](#) **OR** the [Federal Voting Assistance Program's Federal Post Card Application](#).

12. How and where do I submit my Application for Voting Absent Voter's Ballot?

Applications for ballots may be submitted to the appropriate County Clerk in person, by mail, or electronically (by fax or e-mail). A list of County Clerks' contact information may be found at: <http://www.sos.wv.gov/public-services/contacts/Pages/ClerkCountyComm.aspx>.

13. What happens after I apply for an online ballot?

You will be sent an e-mail to the e-mail address you provided on your application. The e-mail will contain a web address for you to access your ballot. You will also receive a user name and secure password to sign onto the Web site. The site will include voting instructions and information on where to turn for further information.

14. When will I be able to access the voting website?

The online voting website will be available to participating voters beginning Tuesday, March 30, 2010 at 8:00 a.m. (Eastern Daylight Time)

15. What is the last day to vote online for the May 11 Primary Election?

Online voting ends Tuesday, May 11, 2010 at 7:30 p.m. (Eastern Daylight Time).

16. Is online voting safe?

The online voting pilot will employ advanced technologies and security procedures to protect your vote including military-style encryption. Bi-partisan oversight will be present during all phases of the voting process. Vote tampering remains a felony offense.

17. How will I know my vote was counted?

When you submit your ballot online, you will receive a tracking number and information on how to follow the progress of your ballot.

18. Will I be able to vote online in future elections?

The pilot program will be assessed after the May 11, 2010 Primary Elections. If there is a recommendation to continue the pilot, the online option will remain available through the November 2, 2010 General Election. At that time, the pilot period will have ended and additional legislative action will be necessary before online voting would be made an option in elections after November 2010.